

PUBLIC MEETING
June 18, 2002

Chairman Mike Murray called the meeting to order at 9:00 a.m.

Commissioners Varone and Loendorf were present. Others attending all or a portion of the meeting included Sheila Cozzie, Sharon Haugen, Frank Rives, Gene Leuwer, Darlene Stanger, Sarah Bauer, Sherrie Downing, Glenn Bailey, Kent DeVore, Don Liles, Laura Behenna, Dennis Iverson, Bill Ries, George Hall, Ed Tinsley, Bill Hines, Robert Hudhall, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge of allegiance.

Public Hearing-HOME Grant Application. Gene Leuwer, Executive Director, Rocky Mountain Development Council asked the Commission to consider submitting an application to the State Department of Commerce for HOME funds. The \$500,000 grant application is due July 1. RMDC has worked with the Helena Housing Development Corporation and the Helena Area Housing Task Force to implement an existing first-time homebuyer program. The program would use HOME money to buy down a portion of the mortgage for low-income borrowers. The borrowers would then borrow the rest of the money through the Montana State Board of Housing Program. This application will serve an additional 25 families within the next 12-15 months. Two hundred seventy thousand dollars is committed at this time and he expects the remainder will be committed within the next few months.

Commissioner Loendorf asked if this program is getting into the communities of Augusta, Lincoln, Craig, and Wolf Creek?

Gene Leuwer stated the program is outside the Helena city limits but he is not aware of any loans or whether there have been any requests for loans from those areas.

Commissioner Varone suggested that Mr. Leuwer put together a program to let the people in those areas know that the funding is available.

Gene Leuwer stated referrals to the program come primarily from lending institutions and the local realtors, but he will get the information to those communities.

The Commission opened the public hearing.

Darlene Stanger, 3846 Edelweiss Street, East Helena. Ms. Stanger recently purchased a home through this program and urged the Commission to continue to support this program.

Laura Behenna, 706 9th Avenue. Ms. Behenna stated she is a first-time homebuyer and despite working fulltime at two professional jobs, she could not qualify for more than a \$64,000 loan. She feels strongly about living in town where she could walk or bicycle to work and not be forced to drive everywhere. Two months after attending the First-Time

Homebuyer's Class in February she was able to purchase a home near the cathedral. GR8 HOPE gave her the loan boost she needed to buy her dream house. She urged the Commission to fully support this program because the Helena community needs this type of affordable housing assistance.

Dennis Iverson, 1410 Jerome. On behalf of the Helena Association of Realtors, he stated the Association supports this program.

Hearing no other comments, the commission closed this portion of the public hearing. Commissioner Varone moved to approve the grant application for \$500,000 on behalf of the GR8 HOPE Phase II Program and authorized the Chairman to sign. Commissioner Loendorf seconded the motion and it carried unanimously.

Proposed Subdivision, Summary Review to be Known as Lamb Ranchettes, Lot 4C Amended. (cont. from 6/18/02). The applicants, Vic and Cindy Detienne, propose to create two lots, each for one single-family dwelling. The proposal is generally located east of and adjacent to the Frontage Road, and north of and adjacent to Stable Road. Bill Ries was present representing the applicants. Frank Rives presented the staff report. The applicants have requested a variance from the subdivision regulations for the length-width ratio requirement. Two dwellings on lot 4C are not in compliance with Special Zoning District 41 or county subdivision regulations. An irrigation canal borders the west lot line of lot 4C. Staff recommended the applicants be required to erect a fence along the irrigation ditch easement for the public health and safety and to discourage damage or vandalism on irrigation ditch property. The applicant has applied for an approach permit for lot C1. The issuance of the permit has been delayed until the subject property is reviewed as a minor subdivision. Staff also recommended that the final plat should show the location of a no-access easement along the north side of Stable Road to prevent haphazard access on proposed lot C2. Because of the significant infestation of noxious weeds on the property, the implementation of a five-year weed management plan is required. The Scratch Gravel Fault is located 2 miles northwest and the Prickly Pear Fault is located ½ mile south of the subject property. Damage can be reduced by compliance with the Uniform Building Codes for Seismic Zone 3. The subject property is located in Special Zoning District 41 and the applicants are not currently in compliance of the regulations of the SZD; however, this proposed subdivision is an effort to bring the property into compliance. The mobile home pre-dates the zoning district and is considered grandfathered. The applicant plans to remove the mobile home in the future. Staff recommended approval subject to 13 conditions as outlined in the staff report.

Bill Ries, 6850 Green Meadow Drive. The applicants agree to comply with all of the conditions of approval except for conditions 7 and 8. Fencing along the east side of the irrigation canal will restrict the applicant from watering his livestock. The irrigation district can access the ditch from the north and south side. Mr. Detienne has no problem putting an access restriction on the south side of the property, but would like to keep open the east side to move his equipment to the north side of the larger parcel.

Frank Rives stated no comment was received from the Irrigation District. The district did not want to get involved in dictating the design of the fences. The fencing along the irrigation easement was on private property and the district did not want to get involved with private property issues. The fences would be the responsibility of the private property owners.

George Hall, 3490 Juniper Drive. Mr. Hall's stated there were 40 acres which have been subdivided into 10-acre tracts. There are 4 dwellings on the property and now the applicants want to subdivide 25 acres and build two more houses. He does not understand how those 40 acres can again be subdivided.

Frank Rives. This tract was previously subdivided and predated the special zoning district. A 40-acre tract has 4 development rights. Lot 4C2 cannot be further subdivided unless the applicant receives a variance from SZD 41 requirements and he must come before this Commission to further subdivide Lot 4C2.

Sharon Haugen stated Mr. Detienne is currently out of compliance with the subdivision regulations; however, he has brought this applicant forth so Lot 4C will be divided into two lots to bring this property into compliance.

Stan Cronin, 3425 Juniper Drive, stated the 2 lots were subdivided when the original deed restrictions had 10-acre lots, which expired after 10 years.

Hearing no other comments, the public hearing is closed.

Bill Reis had no additional comments.

Commissioner Loendorf moved to render a decision Thursday June 20 at 10:00 a.m. in Room 309. Commissioner Varone seconded the motion and it carried unanimously.

The Commissioners recessed and reconvened at 10:10 a.m.

Request for Modification of Conditions for the Holmberg Village Subdivision. The applicants, H&I Development, propose to change the use of Lots 5-1 and 5-2 from commercial to multi-family use (condominium designation). These lots are currently approved for storage units). The applicants, Dennis Iverson and Bill Hines, were present. Michael McHugh presented the staff report. The applicants have requested amendment to the original approval of the Holmberg Subdivision for 43 residential units, 2 commercial units and 2 multi-family units. The request is to change the previously approved multi-family unit indicated as 5-1 from a multi-family to a condominium unit. If approved, this will create different ownerships. There are no different traffic impacts or changes in the water supply systems in the area. A letter from the Lakeside Fire District requires that these units be sprinkled. The other request is to change 5-2 (originally approved for commercial development) to a condominium unit. The conditions of approval would need to be amended to make sure that lots 5-1 and 5-2 comply with the Unit Ownership Act. Additional parkland dedication of .03 acres per unit would need to

be given to the county for park development because originally lot 5-2 was exempted from the parkland dedication requirement.

Bill Hines. Mr. Hines stated it was not cost-effective to build dry storage and therefore have requested the change to condominium units. Individual ownership will fit in better with the current subdivision. The potential owners are aware the units must be sprinkled.

Hearing no other comments, the public hearing is closed. Commissioner Varone moved to render a decision Thursday, June 20 at 10:00 a.m. Commissioner Loendorf seconded the motion and it carried unanimously.

Request for a One-Year Extension of Preliminary Plat Approval for the Retz Estates Lot 4-A Minor Subdivision. Jerry Grebenc reported that the applicant, Susan Retz, has requested a one-year extension to June 12, 2003. The applicant has shown due diligence and staff recommended approval of the extension. Commissioner Loendorf moved to grant the one-year extension to June 12, 2003. Commissioner Varone seconded the motion and it carried unanimously.

Contract for Grant Funded Employees. Nancy Everson reported that the contract between the Montana Supreme Court and Lewis and Clark County is for three grant-funded employees to continue the Juvenile Accountability Grant through September 30, 2002. These grants are moving to a federal fiscal year. Staff recommended approval. Commissioner Varone moved to approve the contract and authorized the Chairman to sign. Commissioner Loendorf seconded the motion and it carried unanimously.

There being no other business, the meeting adjourned at 10:20 a.m.